



1635

Attorney Docket No. PHO-122

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

) I hereby certify that this correspondence
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2003

H. Craig DEES et al

Serial No.: 09/900,355

Filed: July 6, 2001

Art Unit: 1635

For: MEDICAMENTS FOR CHEMOTHERAPEUTIC
TREATMENT OF DISEASE

Date: December 4, 2003

Cristie M. Noll

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97, as revised on February 4, 1992, 1135 OG 23-24, Applicant hereby calls the Examiner's attention to documents listed on the attached form, which documents may be material to the examination of this application. A copy of each of the references is submitted herewith for the Examiner's consideration.

No inference should be drawn that the attached list sets forth a comprehensive investigation of the prior art, that any or all are pertinent to the invention, or that any apparatus disclosed is equivalent to the subject invention.

The citation of the above-discussed documents is not to be construed as an assertion that more pertinent art could not

possibly be in existence. Citation of any document herein is not to be construed as an admission that any subject matter disclosed in the document is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

Applicant also respectfully reserves the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of those documents discussed herein, that may be cited by the Examiner in rejecting a claim in the instant patent application.

As an RCE was submitted in this case Applicant does not believe that a fee is due. However, if any such fee is required, please charge our Deposit Account No. 50/1039.

Respectfully submitted,



Mark J. Murphy
Registration No: 34,225

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LIST OF PUBLICATIONS CITED BY APPLICANT	<u>Attorney Docket No.</u> PHO-122	<u>Serial No.</u> 09/900,355				
	<u>Applicant</u> H. Craig DEES et al					
	<u>Filing Date</u> July 6, 2001	<u>Group</u> 1635				
U.S. PATENT DOCUMENTS						
*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
OTHER PRIOR ART - NON-PATENT LITERATURE DOCUMENTS (Including Author, Title, Date, Pertinent Pages)						
	<ol style="list-style-type: none"> 1) American Cancer Society, "What is Chemotherapy?" page from website, http://www.cancer.org/docroot/ETO/eto_1_3_Chemotherapy_Principles.asp, printed September 11, (2003). 2) WebMD.com, "Chemotherapy," page from website, http://my.webmd.com/content/article/45/1811_50450.htm?, printed September 12, (2003). 3) Definition of "Chemotherapy," <u>Merriam-Webster Dictionary</u>, electronic edition, http://www.m-w.com/cgi-bin/dictionary, printed September 22, (2003). 4) Definition of "Chemotherapeutic," <u>Merriam-Webster Dictionary</u>, electronic edition, http://www.m-w.com/cgi-bin/dictionary, printed September 22, (2003). 5) SIMONE, J.V. et al, "Part XIV: Oncology," <u>Cecil Textbook of Medicine</u>, Goldman, L. et al, ed., 21st Edition, W.B. Saunders Co., Philadelphia, PA, pp. 1029-1031, (2000). 6) BERTINO, J.R. et al, "Part XIV: Oncology, The Principles of Cancer Therapy" <u>Cecil Textbook of Medicine</u>, Goldman, L. et al, ed., 21st Edition, W.B. Saunders Co., Philadelphia, PA, pp. 1060-1070, (2000). 					
EXAMINER:	DATE CONSIDERED:					
<p>*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP form. Draw line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.</p>						